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Fax Transmission | June 16, 2005

TO: Commissioner for Patents
Attn: Mail Stop Amendment (Examiner Manuel A. Mendez)
P.O. Box 1450
Alexandria, VA 22313-1450

FROM: John C. Reich

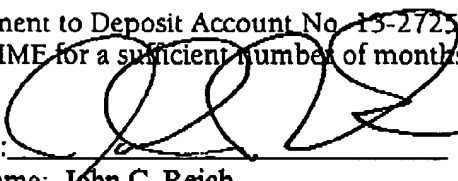
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TELEPHONE: 612.336.4608Total pages, including cover letter: 21PTO FAX NUMBER 1-703-872-9306

If you do NOT receive all of the pages, please telephone us at 612.336.4608, or fax us at 612.332.9081.

Title of Document Transmitted:
Applicant: Thomas L. Peterson
Serial No.: 10/068,291
Filed: February 5, 2002
Group Art Unit: 3763
Our Ref. No.: 09015.0067-US-C3
Confirmation No. 4130

Supplemental Information Disclosure Statement

Please charge any additional fees or credit overpayment to Deposit Account No. 15-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

By: 
Name: John C. Reich
Reg. No.: 37,703

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

June 16, 2005Signature Date June 16, 2005 

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S/N 10/068,291

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Thomas L. Peterson	Examiner:	Manuel A. Mendez
Serial No.:	10/068,291	Group Art Unit:	3763
Filed:	February 5, 2002	Docket No.:	09015.0067-US-C3
Title:	DRUG PUMP SYSTEMS AND METHODS		

CERTIFICATE UNDER 37 CFR 1.8(b):

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on June 16, 2005.

By: 

Name: John C. Reich

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

The applicants are filing this information disclosure statement to disclose additional documents regarding the litigation of United States Patent 6,241,704, which is a parent for the pending application and is currently the subject of litigation in United States District Court for the District of Delaware, Medtronic MiniMed, Inc. v. Smiths Medical MD, Inc., Civ. Action No. 03-776-KAJ. This Information Disclosure Statement and attached Form 1449 disclose a summary judgment opinion dated June 15, 2005, regarding non-infringement of certain claims in the '704 patent. Please contact the undersigned attorney if any other documents or information would be helpful in the examination of this application.

This statement should be considered because it is submitted before the mailing of a first Office Action after the filing of a Request for Continued Examination under 37 C.F.R. § 1.114 or a CPA under 37 C.F.R. § 1.53(d). Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. § 1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.

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Date: June 16, 2005

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PATENT TRADEMARK OFFICE

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